

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re:

Case No. 08-71658

RAYFORD HOWARD RICE, SR.,

Chapter 13

Debtor.

Judge Thomas J. Tucker

ORDER DISMISSING CASE

On March 27, 2009, the Court entered an “Order Adjourning Confirmation Hearing and Requiring Debtor to File Adversary Proceeding or Stipulation for Strip-Off of Second Mortgage” (Docket # 33). The Order provided, in relevant part:

IT IS ORDERED that:

1. The confirmation hearing is adjourned to **April 9, 2009 at 11:00 a.m.**
2. No later than April 1, 2009, Debtor must file an adversary proceeding seek[ing] to strip off the second mortgage lien on Debtor’s residence, or, if the second mortgage holder agrees to such treatment, a stipulation for same.
3. If Debtor fails to comply with the preceding paragraph of this Order by the deadline stated, this case may be dismissed without further notice or hearing.

Debtor failed to file an adversary proceeding seeking to strip off the second mortgage lien on Debtor’s residence, or a stipulation for same, by the April 1, 2009 deadline (and still has not done so.)

Accordingly,

IT IS ORDERED that this bankruptcy case is DISMISSED.

Signed on April 03, 2009

/s/ Thomas J. Tucker

Thomas J. Tucker
United States Bankruptcy Judge